

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOSEPHINE LINKER HART, JUDGE

DIVISION III

CACR06-1366

June 27, 2007

JAMES BRANDON

APPELLANT

APPEAL FROM THE JACKSON
COUNTY CIRCUIT COURT
[NO. CR-2005-118]

V.

HONORABLE HAROLD S. ERWIN,
CIRCUIT JUDGE

STATE OF ARKANSAS

APPELLEE

AFFIRMED; MOTION GRANTED

According to the judgment and disposition order filed May 26, 2006, the circuit court placed appellant, James Brandon, on probation for five years after he pleaded guilty to the crime of Class B felony unlawful discharge of a firearm from a vehicle. On August 22, 2006, the State filed a petition to revoke appellant's probation, alleging that he had violated the terms and conditions of his probation by testing positive on July 11, 2006, for use of marijuana, and on August 4, 2006, for use of cocaine. Further, the petition alleged that on August 4, 2006, he was arrested for possession of a controlled substance with the intent to deliver and for fleeing. According to a judgment and commitment order filed August 28, 2006, the circuit court revoked appellant's probation and sentenced him to ten years' imprisonment.

Appellant's counsel has filed a motion and a brief asserting that any appeal of appellant's revocation would be wholly without merit and asking that he be allowed to withdraw as counsel. The requirements for withdrawal of counsel for a defendant in a criminal case are set out in *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(j)(1) (2007). Under the rule, when a notice of appeal has been filed and counsel seeks to withdraw on the basis that the appeal is wholly without merit, counsel must submit to this court a brief that contains all circuit-court rulings adverse to appellant and that explains why each adverse ruling is not a meritorious ground for reversal.

After reviewing the record and counsel's brief, abstract, and addendum, we agree that the appeal is wholly without merit. Further, in accordance with Arkansas Supreme Court Rule 4-3(j)(2), appellant was provided a copy of counsel's brief, but he did not, as he was entitled to do under the rule, submit any pro se points for reversal. We hold that counsel has complied with Rule 4-3(j)(1), and accordingly, we affirm appellant's probation revocation and grant counsel's motion to withdraw.

Affirmed; motion to withdraw as counsel is granted.

GRIFFEN and GLOVER, JJ., agree.